

Committee Room,  
Austin, Texas, May 11, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 603, A bill to be entitled "An Act fixing the salary of the County Commissioners in each county in which the population is as many as seventy-six thousand (76,000) inhabitants and is less than seventy-eight thousand and one (78,001)) inhabitants according to the United States Census last preceding and which county has voted as much as Six Million Dollars in road bonds and One Million Dollars in flood control or flood protection bonds: and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Committee Room,  
Austin, Texas, May 11, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Agriculture, to whom was referred

H. B. No. 553, A bill to be entitled "An Act declaring the counties of Cameron, Willacy, Hidalgo, Starr, Zapata, Jim Hogg, Brooks, Kenedy, Kleberg, Nueces, Jim Wells, Duval, Webb, San Patricio, Refugio, Bee, Live Oak, McMullen, La Salle, Dimmit, Maverick, Zavala, Frio, Atascosa, Wilson, Karnes, DeWitt, Victoria, Goliad, Calhoun, Aransas, to constitute what shall be known in the future as the Citrus Zone of this State; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, May 11, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 1026, A bill to be entitled "An Act fixing the venue of suits brought on policies and contracts

made by Fraternal Benefit Societies and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed in the Journal.

WOODWARD, Chairman.

Engrossed Rider No. 1.

Amend H. B. No. 1026 below enacting clause by adding to end of Section 1 the following:

"or in the county of the principal office of such association."

KELLER.

[May 9, 1931, Adopted.]

By Martin.

H. B. No. 1026.

#### A BILL

#### To Be Entitled

An Act fixing the venue of suits brought on policies issued and contracts made by Fraternal Benefit Societies and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. In all actions brought against Fraternal Benefit Societies, regardless of the plan upon which they operate and whether incorporated or not, growing out of or based upon any alleged right or claim or loss or proceeds due, arising from or predicated upon any policy or contract issued or made by such fraternal Benefit Society, venue shall lie in the county where the policy holder or beneficiary instituting such suit resides.

Sec. 2. The crowded condition of the calendar creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be suspended and said Rule is hereby suspended and this bill shall take effect and be in force from and after its passage, and it is so enacted.

#### SIXTY-EIGHTH DAY.

Senate Chamber,  
Austin, Texas,  
May 12, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum be-

ing present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Loy. Pollard.

Prayer by the Rev. Holt, Chaplain of the House.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

#### Petitions and Memorials.

(See Appendix.)

#### Committee Reports.

(See Appendix.)

#### Notice of Intent.

Senator Woodward gave notice that tomorrow he would call up the motion spread on the Journal to print H. B. No. 331 on minority report.

#### S. J. R. No. 11.

The Chair laid before the Senate on its second reading the following resolution:

By Senator Woodul:

S. J. R. No. 11, Proposing an amendment to Section 22 of Article IV of the Constitution of the State of Texas, fixing the salary of the Attorney General at Ten Thousand (\$10,000.00) Dollars a year; providing for its submission to the voters of the State of Texas, as required by the Constitution, and making appropriation therefor.

Read second time and passed to engrossment by the following vote:

Yeas—23.

Beck.	Cunningham.
Berkeley.	Gainer.
Cousins.	Hardin.

Holbrook.	Poage.
Hopkins.	Russek.
Hornsby.	Small.
Moore.	Thomason.
Neal.	Williamson.
Oneal.	Woodruff.
Parr.	Woodul.
Parrish.	Woodward.
Patton.	

Nays—2.

DeBerry. Martin.

Absent.

Greer.	Rawlings.
Purl.	Stevenson.

Absent—Excused.

Loy. Pollard.

#### S. J. R. No. 10.

The Chair laid before the Senate on its second reading the following resolution:

By Senator Woodul:

S. J. R. No. 10, Proposing an amendment to Section 23 of Article IV of the Constitution of the State of Texas, increasing the salary of the Comptroller, Treasurer and the Commissioner of the General Land Office to Seven Thousand Five Hundred (\$7,500.00) Dollars per annum providing for its submission to the voters of the State of Texas as required by the Constitution, and making appropriation therefor.

Read second time and passed to engrossment by the following vote:

Yeas—27.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Thomason.
Hopkins.	Williamson.
Hornsby.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

Absent.

Purl. Stevenson.

Absent—Excused.

Loy. Pollard.

**S. J. R. No. 18.**

The Chair laid before the Senate the following resolution:

By Senator Neal:

S. J. R. No. 18, Proposing an amendment to Section 9 of Article 8 of the Constitution, authorizing an additional levy to taxes by political subdivisions of the State not to exceed two mills on the One (\$1.00) Dollar valuation; calling and providing for an election for the purpose of submitting said amendment to the people; providing means and manner thereof, and making an appropriation therefor.

Read second time and passed to engrossment by the following vote:

**Yeas—23.**

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Rawlings.
Cunningham.	Russek.
Greer.	Small.
Hardin.	Stevenson.
Holbrook.	Thomason.
Hopkins.	Williamson.
Hornsby.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Parr.	

**Nays—4.**

DeBerry.	Oneal.
Gainer.	Poage.

**Present—Not Voting.**

Martin.

**Absent.**

Purl.

**Absent—Excused.**

Loy.

Pollard.

**H. J. R. No. 12.**

Senator DeBerry called up from the table the following resolution:

H. J. R. No. 12, Proposing to amend the Constitution of the State of Texas so as to provide that the Legislature shall have no power to release or extinguish, or to authorize the releasing or extinguishing, in whole or in part, the indebtedness, liability or obligation of any corporation or individual to this State or to any county or defined subdivision thereof, or other municipal corporation therein, except delinquent taxes which have been due for a period of at least four years.

Read second time and passed to third reading by the following vote:

**Yeas—25.**

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Rawlings.
Hardin.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Parr.	

**Absent.**

Cousins.	Holbrook.
Greer.	Stevenson.

**Absent—Excused.**

Loy.

Pollard.

**S. J. R. No. 20.**

The Chair laid before the Senate on its third reading the following resolution:

S. J. R. No. 20, A joint resolution "Proposing an amendment to the Constitution of the State of Texas providing for the creation of rural electric light and power and gas districts, for the purpose of enabling residents of said districts to provide themselves with facilities for the distribution to all residents thereof of natural or artificial gas and electric light and power, or either; and enabling such districts to enter into contract with any person, firm or corporation for supplying or distributing such utilities or for both such supply and distribution; and providing for an election upon such proposed constitutional amendment; and making an appropriation therefor."

Read third time and failed to finally pass by the following vote:

**Yeas—15.**

Beck.	Poage.
Berkeley.	Purl.
Cunningham.	Rawlings.
DeBerry.	Williamson.
Gainer.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Parrish.	

## Nays—11.

Cousins.	Moore.
Hardin.	Parr.
Holbrook.	Patton.
Hopkins.	Russek.
Hornsby.	Thomason.
Martin.	

## Present—Not Voting.

Small.

## Absent.

Greer. Stevenson.

## Absent—Excused.

Loy. Pollard.

(21 yeas required.)

## H. J. R. No. 6.

Senator Hardin called up from the table the following resolution:

H. J. R. No. 6, Proposing an amendment to Article VIII of the Constitution of the State of Texas by adding thereto Section 1a; exempting all homesteads from taxation except so much thereof as exceeds two thousand dollars in valuation.

Senator Poage moved to lay the resolution on the table subject to call. The motion was lost by the following vote:

## Yeas—9.

Cousins.	Parr.
Holbrook.	Poage.
Hopkins.	Russek.
Martin.	Stevenson.
Oneal.	

## Nays—18.

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Purl.
DeBerry.	Rawlings.
Gainer.	Small.
Hardin.	Thomason.
Hornsby.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

## Absent.

Greer. Williamson.

## Absent—Excused.

Loy. Pollard.

Senator Poage sent up the following substitute for Committee amendment No. 1:

Amend H. J. R. No. 6 by adding at the end of Section 1 the following:

"Nothing herein shall apply within those counties or political subdivisions now receiving any remission of State taxes, but upon the expiration of such period of remission this Section shall become applicable within such counties and political subdivisions."

## POAGE.

Read and adopted by the following vote:

## Yeas—18.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Purl.
Holbrook.	Russek.
Hopkins.	Stevenson.
Martin.	Thomason.
Neal.	Woodul.

## Nays—5.

Hornsby.	Small.
Parrish.	Woodruff.
Rawlings.	

## Present—Not Voting.

Hardin.

## Absent.

Gainer.	Williamson.
Greer.	Woodward.
Moore.	

## Absent—Excused.

Loy. Pollard.

The amendment as substituted was adopted.

Senator Hardin sent up the following substitute for committee amendment No. 2:

Amend House Joint Resolution No. 6 by substituting for Section 1 the following:

Section 1. That Section 1A be added to Article 8 of the Constitution of the State of Texas to read as follows:

Article 8. Section 1A. Three Thousand dollars (\$3,000.00) of the assessed taxable value of all residence homesteads as now defined by law shall be exempt from all taxation for State purposes.

Also amend Section 2 by striking out the words and figures "Two Thousand (\$2,000.00) dollars of the assessable value of all residence" wherever they occur, and inserting in lieu thereof the following:

"Three Thousand dollars (\$3,000.00) of the assessed taxable value of all residence."

HARDIN.

Read and adopted.

The amendment as substituted was adopted.

The resolution was passed to third reading by the following vote:

Yeas—27.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Poage.
Cunningham.	Purl.
DeBerry.	Rawlings.
Gainer.	Russek.
Hardin.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Parr.	

Nays—1.

Holbrook.

Absent—Excused.

Greer.	Pollard.
Loy.	

#### Message From the House.

Hall of the House of Representatives.  
Austin, Texas, May 11, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to H. B. No. 312, by a vote of 110 ayes and 1 nay.

The House has concurred in Senate amendments to H. B. No. 81 by a vote of 107 ayes and 6 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### Simple Resolution No. 146.

Senator Neal sent up the following resolution:

Be it resolved by the Senate that the House be requested to return to the Senate for the purpose of correction H. B. No. 907.

NEAL.

Read and adopted.

#### Bills Signed.

The Chair, Lieutenant Governor

Edgar E. Witt, gave notice of signing and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

H. B. No. 278.	H. B. No. 355.
H. C. R. No. 60.	H. B. No. 915.
H. C. R. No. 46.	

#### Senate Joint Resolution No. 12.

Senator Purl called up from the table the following resolution:

By Senator Purl:

S. J. R. No. 12, A joint resolution Adding another section to Article V, of the Constitution of the State of Texas, authorizing the Legislature of Texas to fix all compensations, fees and emoluments to be paid all officers except State officers; providing for its submission to the voters of the State of Texas as required by the Constitution, and making an appropriation therefor.

Senator Purl sent up the following amendment:

Amend S. J. R. No. 12, Section 30, line 3, after the word "officers" and before the word "and" the following: "Whose salaries are prescribed by the Constitution."

PURL.

Read and adopted unanimously.

The resolution was finally passed by the following vote:

Yeas—27.

Beck.	Parrish.
Berkeley.	Patton.
Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Parr.	

Absent.

Cousins.

Absent—Excused.

Greer.	Pollard.
Loy.	

#### Free Conference Report.

Senator Moore sent up the following Conference Committee report:

Committee Room,  
Austin, Texas, May 12, 1931.  
Hon. Edgar E. Witt, President of the  
Senate.

Hon. Fred H. Minor, Speaker of the  
House of Representatives.

Sirs: We, your Conference Com-  
mittee appointed to consider the dif-  
ferences between the two House on

H. B. No. 453, A bill to be entitled  
"An Act to amend Acts 1927, 40th  
Legislature, 1st Called Session, Page  
131, Chapter 42, Section 2, provid-  
ing for the appointment of three  
(3) additional members of the State  
Board of Health; prescribing the  
qualifications of such additional  
members; providing the terms of of-  
fice, fixing their compensation; and  
declaring an emergency."

Having met and after full and free  
conference have agreed to make, and  
do make, the following recommend-  
ations, to-wit:

(1) That the Senate recede from  
its amendment, which is as follows:

Amend House Bill No. 453, page  
2, Section 1, by striking out, after  
line 22, the following: "The State  
Health Officer shall be a member ex-  
officio of the Board, but shall not  
have the right to vote. The Board  
shall elect a Chairman among the  
nine members of the Board, who  
shall serve for a period of two years,  
or until a successor is elected."; and  
inserting in lieu thereof the follow-  
ing: "The State Health Officer  
shall be a member ex officio, and  
shall act as Chairman of the Board  
of Health, but shall not have the  
right to vote."

And that the bill be finally passed  
by the House except that the follow-  
ing be inserted in the caption: "elec-  
tion of chairman" after the word  
"office."

MOORE,  
HOPKINS,  
WOODUL,  
WILLIAMSON,  
THOMASON,

On the part of the Senate.

READER,  
McCOMBS,  
HUGHES,  
FINN,  
MOORE,

On the part of the House.

Read and adopted by the follow-  
ing vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

Greer.

Absent—Excused.

Loy.

Pollard.

H. C. R. No. 46.

Senator Holbrooks called up from  
the table:

H. C. R. No. 46, setting May 22  
as the date for sine die adjournment.

Senator Holbrook moved the pre-  
vious question on the previous  
question on the resolution. The  
motion was lost by the following  
vote:

Yeas—12.

Berkeley.	Parr.
Cousins.	Patton.
Cunningham.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Martin.	Woodward.

Nays—16.

Beck.	Parrish.
DeBerry.	Poage.
Gainer.	Purl.
Hardin.	Rawlings.
Hornsby.	Thomason.
Moore.	Williamson.
Neal.	Woodruff.
Oneal.	Woodul.

Absent.

Greer.

Absent—Excused.

Loy.

Pollard.

Senator Thomason sent up the fol-  
lowing amendment:

Amend H. C. R. by substituting  
Friday 29th for Friday 22nd.

THOMASON.

The amendment was read.

Senator Greer sent up the following substitute for the amendment:

By striking out the figures 22 after May and inserting in lieu thereof the figures 26.

GREER.

The substitute was read.

Senator Holbrook moved to table the substitute.

Senator Purl moved to recess untill 2 o'clock p. m. The motion was lost by the following vote:

Yeas—7.

DeBerry.	Hornsby.
Gainer.	Poage.
Greer.	Purl.
Hopkins.	

Nays—22.

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Rawlings.
Cunningham.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Neal.	Woodruff.
Oneal.	Woodul.
Parr.	Woodward.

Absent—Excused.

Loy. Pollard.

The motion to table the substitute amendment prevailed by the following vote:

Yeas—20.

Berkeley.	Parr.
Cousins.	Patton.
Cunningham.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Martin.	Williamson.
Neal.	Woodul.
Oneal.	Woodward.

Nays—9.

Beck.	Parrish.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Woodruff.
Moore.	

Absent—Excused.

Loy. Pollard.

Senator Berkeley sent up the following substitute for the amendment:

Amend substitute for pending resolution by substituting the date May 27th, 1931, in lieu of May 22, 1931.

BERKELEY.

The substitute was read.

Senator Holbrook moved to table the substitute. The motion was lost.

The substitute was lost by the following vote:

Yeas—6.

Berkeley.	Poage.
DeBerry.	Purl.
Greer.	Woodruff.

Nays—21.

Beck.	Parr.
Cousins.	Parrish.
Gainer.	Patton.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Stevenson.
Martin.	Thomason.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent.

Cunningham. Williamson.

Absent—Excused.

Loy. Pollard.

On motion of Senator Parr, the previous question was ordered on the amendment and the resolution.

The amendment was lost by the following vote:

Yeas—12.

Beck.	Neal.
Gainer.	Parrish.
Greer.	Poage.
Hardin.	Purl.
Hornsby.	Thomason.
Moore.	Woodruff.

Nays—15.

Berkeley.	Patton.
Cousins.	Rawlings.
DeBerry.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Martin.	Woodul.
Oneal.	Woodward.
Parr.	

Absent.

Cunningham. Williamson.

Absent—Excused.

Loy. Pollard.

Senator Greer moved to recess until 2 o'clock p. m. The motion was lost.

The resolution was adopted by the following vote:

Yeas—16.

Berkeley.	Parr.
Cousins.	Patton.
Cunningham.	Rawlings.
DeBerry.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Martin.	Woodul.
Oneal.	Woodward.

Nays—11.

Beck.	Parrish.
Greer.	Poage.
Hardin.	Purl.
Hornsby.	Thomason.
Moore.	Woodruff.
Neal.	

Absent.

Williamson.

Absent—Excused.

Loy.

(Pair Recorded.)

Senator Gainer (present) who would vote nay, with Senator Pollard (absent) who would vote yea.

Recess.

On motion of Senator Hopkins, the Senate, at 12:20 o'clock p. m., recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Conference Committee Appointed.

On motion of Senator Holbrook, the Senate refused to concur in the House amendment to S. C. R. No. 45 and asked for the appointment of a Conference Committee.

The Chair appointed the following on the part of the Senate:

Senators Holbrook, Hopkins, Woodward, Martin and Cousins.

S. C. R. No. 48.

Senator Williamson sent up the following resolution:

Whereas, August E. Leeder, of Center Point, Texas, Harley Johnson, of Kerrville, Texas, and Sam Johnson, of Goliad, Texas, on or about September 1, 1930, unearthed two ancient cannons in La Bahia Mission on the San Antonio River near Goliad, Texas, which they placed in the custody of the County Judge of Goliad County, Texas, shortly thereafter, pending the making of an appropriation to pay them for their services and/or the cannons, which the Legislature has failed to do, and,

Whereas, The State has made some claim to said cannons and is casting a cloud on the title of finders; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring: That both of said cannons be surrendered to the finders thereof, above mentioned, who have all of the time, and are now, claiming the same, and the State of Texas hereby disclaims any and all right, title, claim and interest in and to said property to the above named finders, and title to these two cannons is hereby vested in the above named finders.

WILLIAMSON.

Read and referred to Committee on State Affairs.

House Bill No. 258.

The Chair laid before the Senate as pending business the following bill:

By Mr. Anderson and Mr. Barron:

H. B. No. 258, A bill to be entitled "An Act amending Article 7150, Section 1, of the Revised Civil Statutes of 1925, of the State of Texas, by adding thereto a provision exempting a dwelling place for the ministry of such church or religious society, and declaring an emergency."

The question recurred upon the pending amendment.

On motion of Senator Hornsby, the amendment was tabled.

Senator Martin sent up the following amendment:

Amend H. B. No. 258, Section 1, page 1, by adding after the word "profit" in line 48, the following:



"Provided, however, that said schools and churches desiring the right of exemption of the properties hereinabove mentioned, shall first prepare and file with the Tax Assessor of the County in which such property is situated, a complete itemized statement of all of said property, and every kind whatsoever, which is claimed to be exempt from taxation under the provisions of this particular law, and all property not so listed shall be assessed and it shall be the duty of the Tax Assessor to make levy on the same, and for the Tax Collector to collect the said taxes.

Said itemized list of exemptions when made by the said schools or churches shall be sworn to by some officer of the said schools or church familiar with the facts, and when the same has been filed with the Tax Assessor same shall be by him filed in his office, subject to inspection at any time by any person desiring to see the same."

MARTIN.

Read and adopted.

Senator Rawlings sent up the following amendment:

Amend House Bill No. 258 by inserting in Section 1, page 1, line 45, after the word "purposes;" the following:

"provided that when the land or other property has been, or shall hereafter be, bought in by such institutions under foreclosure sales made to satisfy or protect bonds or mortgages in which said endowment funds are invested, that such exemption of such land and property shall continue for two years after the purchase of the same at such sale by such institutions and no longer."

RAWLINGS,  
MOORE.

Read and adopted.

Senator Holbrook sent up the following amendment:

Amend H. B. No. 258, lines 40 and 41, by striking out the following: "all buildings connected with the same and all lands immediately connected with public institutions of learning."

HOLBROOK.

The amendment was read.

Senator Moore moved to table the amendment. The motion was lost.

The amendment was adopted.

The bill was passed to third reading.

On motion of Senator Rawlings, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 258 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

DeBerry.

Absent—Excused.

Loy.

Pollard.

Read third time and finally passed.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, May 12, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to H. B. No. 453 by a vote of 105 yeas and 5 nays.

The House has adopted the following resolutions:

Senate Simple Resolution No. 146, Recalling H. B. No. 907 to the Senate for correction.

H. C. R. No. 62, Authorizing the Enrolling Clerk of the House to amend the caption to H. B. No. 81.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, May 12, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 508, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them as follows, to-wit: The Agricultural and Mechanical College of Texas, State Experimental Station; the North Texas Junior Agricultural College; John Tarleton Agricultural College; Prairie View State Normal and Industrial College; the University of Texas, including the Medical Branch at Galveston and the College of Mines and Metallurgy at El Paso; College of Industrial Arts; Texas Technological College; East Texas State Teachers College at Commerce; North Texas State Teachers College at Denton; Sam Houston State Teachers College at Huntsville; Stephen F. Austin State Teachers College at Nacogdoches; the Texas College of Arts and Industries at Kingsville; Southwest Texas State Teachers College at San Marcos; Sul Ross State Teachers College at Alpine; West Texas State Teachers College at Canyon; Texas School for the Blind and Texas School for the Deaf, for years beginning September 1, 1931, and ending August 31, 1933, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### House Bill Referred.

H. B. No. 508 referred to Committee on Finance.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, May 12, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on Senate Bill No. 375. The following are conferees on the part of the House:

Petsch, Ferguson, Kennedy, Rountree, Adams of Harris.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### Senate Bill No. 624.

The Chair laid before the Senate on its second reading the following bill:

By Senator Beck:

S. B. No. 624, A bill to be entitled "An Act re-appropriating certain unexpended balances in the appropriations made by the Regular Session of the Called Sessions of the Forty-first Legislature for mileage and per diem and for contingent expenses so that said unexpended balances may be available for mileage and per diem and for contingent expenses of the Forty-second Legislature, and declaring an emergency."

Read second time.

#### Call of the Senate.

Senator Beck raised the point of order that a quorum was lacking. The roll call showed 20 present.

On motion of Senator DeBerry, a call of the Senate for the purpose of obtaining and maintaining a quorum until 5:30 o'clock p. m. was ordered.

#### Senate Bill No. 624.

The question recurred upon S. B. No. 624.

Senator Purl raised the point of order that it was out of order to appropriate an indefinite sum of money, which was done by this bill.

The Chair, Lieutenant Governor Edgar E. Witt, overruled the point of order.

Senator Purl moved to print the bill in the Journal. The motion was lost.

The committee report was adopted.

The bill was passed to engrossment.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 624 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Hornsby.
Berkeley.	Loy.
DeBerry.	Martin.
Gainer.	Moore.
Greer.	Neal.
Hardin.	Oneal.
Holbrook.	Parr.
Hopkins.	Parrish.

Patton.	Thomason.
Poage.	Williamson.
Purl.	Woodruff.
Rawlings.	Woodul.
Small.	Woodward.

Absent.

Cousins.	Russek.
Cunningham.	Stevenson.

Absent—Excused.

Pollard.

Read third time and finally passed  
by the following vote:

Yeas—25.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Purl.
Hardin.	Rawlings.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

Nay—1.

Holbrook.

Absent.

Cunningham.	Small.
Russek.	Stevenson.

Absent—Excused.

Pollard.

**Senate Bill No. 507.**

The Chair laid before the Senate  
on its third reading the following  
bill:

By Senator Woodul:

S. B. No. 507, A bill to be entitled  
"An Act to amend Section 1, Chapter  
10, Acts of the Forty-first Legislature;  
and declaring an emergency."

Read third time and finally passed  
by the following vote:

Yeas—27.

Beck.	Greer.
Berkeley.	Hardin.
Cousins.	Holbrook.
DeBerry.	Hopkins.
Gainer.	Hornsby.

Loy.	Purl.
Martin.	Rawlings.
Moore.	Stevenson.
Neal.	Thomason.
Oneal.	Williamson.
Parr.	Woodruff.
Parrish.	Woodul.
Patton.	Woodward.
Poage.	

Absent.

Cunningham.	Small.
Russek.	

Absent—Excused.

Pollard.

**Senate Bill No. 244.**

The Chair laid before the Senate  
on its third reading the following  
bill:

By Senator Woodul:

S. B. No. 244, A bill to be entitled  
"An Act to give and grant to O. Luthe  
leave and permission to prosecute  
in the proper courts of Harris Coun-  
ty, Texas, suit or suits against the  
State of Texas and the members of  
the Texas Prison Board, in their of-  
ficial capacity only, for damages sus-  
tained by reason of a collision be-  
tween his truck and a truck of the  
Texas Prison System on or about  
November 20, 1929; and declaring  
an emergency."

Read third time and finally passed  
by the following vote:

Yeas—27.

Beck.	Parr.
Berkeley.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Absent.

Cousins.	Russek.
Cunningham.	

Absent—Excused.

Pollard.

**Senate Bill No. 553.**

The Chair laid before the Senate on its third reading the following bill:

By Senator Purl:

S. B. No. 553, A bill to be entitled "An Act prohibiting corporations, associations, and societies and the agents, representatives, officers and directors thereof or therefor, from making certain misrepresentations and circulating false literature concerning the value, contents or provisions of certain insurance policies or certificates; prohibiting the making of any misrepresentations or issuance of any statements in regard to the value or contents of any policy of any company or association for the purpose of causing said policy to be forfeited, lapsed or surrendered prohibiting causing or permitting of same to be done by such persons generally; prescribing offenses, fines, penalties and punishment; and declaring an emergency."

Read third time and finally passed.

**House Bill No. 241.**

Senator Berkeley called up from the table the following bill:

By Mr. Satterwhite, Mr. McGill, Mr. Metcalfe and Mr. Lockhart:

H. B. No. 241, A bill to be entitled "An Act making an appropriation to reimburse persons, firms, and corporations for losses sustained during the years of 1929 and 1930 by reason of the establishment by the State of Texas of regulated and restricted zones in certain areas of the State requiring such persons, firms and corporations to pay money for the sterilization of seed and the fumigation of cotton, etc., and declaring an emergency."

Senator Moore withdrew the pending amendment and sent up the following amendments:

Amend H. B. No. 241 by adding a new section, as follows:

"Section 1-A. The additional sum of Two Hundred Thousand (\$200,000.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the General Revenue of the State of Texas, not otherwise appropriated to reimburse persons, firms and/or corporations for losses sustained by reason of the establishment of quarantines by direc-

tion of the Commissioner of Agriculture, as provided for in Chapter 3, Articles 68 to 82, inclusive, of the Revised Civil Statutes of 1925, and observance thereof by such persons, firms, and/or corporations. In no event shall funds hereby appropriated be expended except by and under authority of Chapter 3, Articles 68 to 82, inclusive, of the Revised Civil Statutes of 1925."

MOORE,  
LOY.

Read and adopted.

Amend House Bill No. 241 by adding thereto the following:

"Sec. 3. There is hereby appropriated out of the general Revenue of the State of Texas the sum of five hundred thousand (\$500,000.00) Dollars not otherwise appropriated, or so much thereof as may be necessary, for the purpose of reimbursing the general fund of the Counties of Texas for monies actually expended in the eradication and extermination of cattle ticks, prior to the year 1929.

Sec. 4. In order to recover the funds so expended, it shall be necessary for the County Commissioners Court of each County hereby affected, to furnish the Comptroller of Public Accounts of this State a sworn itemized statement of expenses properly and regularly incurred in the eradication of ticks, including salaries and other expenses for local inspectors, labor and material and other expenses incident to the construction of dipping vats, expenses incurred in the purchase and distribution of dipping materials, and all other expenses incurred by such Counties. Such itemized accounts shall be signed and attested by the County Judge, one County Commissioner and the County Auditor, and if there be no County Auditor, then the County Judge and the County Commissioners, of the County filing such claim. Such claim shall be prima facie evidence of the correctness and same shall be allowed and paid on regular warrants by the State Treasurer and Comptroller of Public Accounts as are all other claims and accounts, provided that such claims have been filed with the Comptroller of Public Accounts within two years after the taking effect of this Act."

MOORE,  
LOY.

The amendment was read.

Senator Berkeley moved to table the amendment. The motion was lost by the following vote:

Yeas—5.

Berkeley.	Parrish.
Holbrook.	Woodward.
Hopkins.	

Nays—19.

Beck.	Parr.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Hornsby.	Thomason.
Loy.	Woodruff.
Moore.	Woodul.
Neal.	

\* Absent.

Gainer.	Small.
Martin.	Stevenson.
Oneal.	Williamson.

Absent—Excused.

Pollard.

The amendment was adopted.

Senator Moore sent up the following amendment:

Amend House Bill No. 241, Section 3, by striking out all after the word "Claimants" and inserting in lieu thereof the following:

"and the fact that the citizens of the Counties herein affected were, during the period of eradication of the cattle ticks, subjected to unusual trouble and serious inconvenience; the fact that the expense incident to this work was borne by the taxpayers of such Counties and by them alone and not through appropriation from the general treasury of the State of Texas; the fact that since the Counties herein affected have completely eradicated the cattle ticks, other sections of the State are benefiting in this work by appropriations from the general treasury of the State, thus placing a double burden for tick eradication upon the Counties herein affected; the fact that the Counties herein affected were required by the then existing laws to carry on this work under threat of beef and dairy cattle owners being unable to market their stock; and the further fact that in the Counties herein affected the general fund of said Counties was depleted, necessitating the issuance of

deficiency warrants and other forms of debits against such Counties, thereby placing an undue burden upon the taxpayers of such Counties, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three separate days be suspended and same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

Amend caption of bill to conform to the body of the bill.

MOORE and LOY.

Read and adopted.

The bill was passed to third reading.

On motion of Senator Berkeley the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 241 was put on its third reading and final passage, by the following vote:

Yeas—27.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Purl.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Small.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Nays—1.

Holbrook.

Absent.

Martin.	Stevenson.
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Absent—Excused.

Pollard.

Read third time and finally passed.

#### Conference Report.

Senator Parr sent up the following Conference Committee Report:

Committee Room,

Austin, Texas, May 12, 1931.

Hon. Edgar E. Witt, President of the Senate.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your Free Conference

Committee on S. B. No. 72, appointed to adjust the difference between the House and Senate on said bill, beg leave to report that we have agreed upon the differences between the two Houses on said bill and recommend that the following bill be adopted.

By Parr.

S. B. No. 72.

A BILL  
To Be Entitled

An Act amending Section 79 of Article 199, Title 8, Revised Civil Statutes of 1925, changing the 79th Judicial District; providing the jurisdiction of the 79th and 92nd District Courts and fixing the terms of said courts; providing for the return of all processes, recognizances, writs and bonds issued, served, executed or entered into; prescribing the duties of such courts; providing for transfer of cases or benches between the 93rd and 92nd and 79th Judicial District and the preparation and/or arrangement of the dockets of the District Courts of the 93rd and 92nd and 79th Judicial Districts; creating the 92nd Judicial District, providing for the appointment and future election of a Judge of the 92nd Judicial District and prescribing the amount and manner of paying the salary of such judge; transferring certain jurisdiction of the County Court of Hidalgo County to the District Court of the 92nd Judicial District; providing that the County Attorney of Hidalgo County shall also serve as District Attorney in the District Courts of the 93rd and 92nd Judicial Districts; providing for the Judge and District Attorney to continue as such of the 79th Judicial District; prescribing the time of the taking effect hereof, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That section 79 of Article 199, Title 8, of the Revised Civil Statutes of 1925, creating the 79th Judicial District be and the same is hereby amended so as to hereafter read as follows:

"Sec. 79. The 19th Judicial District shall after this act takes effect be composed of the Counties of Starr, Brooks, Duval and Jim Wells

and the 79th District Court shall be held in said counties as follows:

In Starr County:

One term beginning on the first Monday in January and may continue in session three weeks;

One term beginning on the twelfth Monday after the first Monday in January and may continue in session three weeks;

One term beginning on the twenty-fourth Monday after the first Monday in January and may continue in session three weeks;

One term beginning on the sixth Monday after the first Monday in September and may continue in session three weeks.

In Brooks County:

One term beginning on the third Monday after the first Monday in January and may continue in session three weeks;

One term beginning on the fifteenth Monday after the first Monday in January and may continue in session three weeks;

One term beginning on the twenty-seventh Monday after the first Monday in January and may continue in session three weeks;

One term beginning on the ninth Monday after the first Monday in September and may continue in session three weeks;

In Duval County:

One term beginning on the ninth Monday after the first Monday in January and may continue in session three weeks;

One term beginning on the twenty-first Monday after the first Monday in January and may continue in session three weeks;

On term beginning on the third Monday after the first Monday in September and may continue in session three weeks;

One term beginning on the fifteenth Monday after the first first Monday in September and may continue in session through the last Saturday before the first Monday of the succeeding year.

In Jim Wells County:

One term beginning on the sixth Monday after the first Monday in January and may continue in session three weeks;

One term beginning on the eighteenth Monday after the first Monday in January and may continue in session three weeks;

One term beginning on the first

Monday in September and may continue in session three weeks;

One term beginning on the twelfth Monday after the first Monday in September and may continue in session three weeks.

All processes, recognizances, writs and bonds issued, served or entered into for the District Court of any of the counties constituting the 79th Judicial District before this Act goes into effect, shall be returned to the proper Court from which they were issued in accordance with the provisions thereof."

Sec. 2. This Act shall be in effect from and after January 1, 1932; provided that upon the taking effect of this Act there shall be and there is, created the 92nd Judicial District, the limits of which shall be co-extensive with the limits of Hidalgo County.

(a) The District Court of the 92nd Judicial District shall have and exercise the jurisdiction prescribed by the Constitution and the laws of this State for District Courts in general, and the Judge thereof shall have and exercise the powers conferred by the Constitution and Laws of this State on the Judges of District Courts. Its jurisdiction shall be concurrent with that of the District Court of Hidalgo County for the 93rd Judicial District.

(b) The terms of the District Court, 92nd Judicial District, shall begin on the first Mondays respectively in January, 1932; March, 1932; May, 1932; September, 1932; November, 1932; and thereafter on the first Mondays of January, March, May, September and November of each year; and each term of said Court may continue in session for eight weeks.

(c) In addition to the jurisdiction vested in the District Court for the 92nd Judicial District under the Constitution and General Laws of this State, said Court shall have and exercise jurisdiction over all civil matters over which by General Law, the County Court of Hidalgo County would have original jurisdiction, except as in this Act otherwise specially provided.

(d) From and after the after effect of this Act, the County Court of Hidalgo County shall cease to have or exercise any civil jurisdiction, except as hereinafter specified

and enumerated, nor shall the Judge thereof be restricted or deprived of any duties, rights or powers now vested in him or required of him by the General Laws except the Civil jurisdiction by this Act transferred from said Court to the District Court for the 92nd Judicial District.

The County Court of Hidalgo County shall have and retain jurisdiction of all cases appealed from the Justice Courts, and the general jurisdiction of a Probate Court as provided by the Constitution and Laws of this state, and the County Court or the Judge thereof shall have power to issue all writs necessary to the enforcement of the jurisdiction of said Court in all matters the jurisdiction of which, by this Act, is not transferred from said Court to the District Court of the 92nd Judicial District.

(e) The Clerk of the District Courts of Hidalgo County shall upon the taking effect of this Act, assume the duties of Clerk of the 92nd District Court, and shall thereafter perform the duties of such, as though the Court had existed at the time of his election. He shall promptly prepare a docket for the 92nd District Court, placing thereon all cases then on file in the 79th District Court, such cases as may be filed in the 92nd District Court, and such cases as may be transferred to said Court.

(f) The letters "A" and "B" shall be placed upon the docket and Court papers in the respective District Courts of Hidalgo County to distinguish them; "A" being used in connection with the 93rd District Court and "B" being used with the 92nd District Court.

(g) All suits and proceedings hereafter instituted in the District Courts of Hidalgo County shall be numbered consecutively, beginning with the next number after the last file number on the docket of any existing Court, and shall be entered upon the dockets of said Courts in the same manner as provided in paragraph (f) of this section.

(h) All Civil and Criminal cases on the docket of the District Court of Hidalgo County for the 79th Judicial District at the time of the taking effect of this Act are hereby transferred to the District Court for the 92nd Judicial District hereby created, and all processes and writs issued out of the District Court of

Hidalgo County. 79th Judicial District, are hereby made returnable to the District Court of Hidalgo County, 92nd Judicial District, and said writs and processes, as well as all judgments, orders and decrees, therefor, are hereby legalized in all respects and shall be enforced as if, had in, or issued out of the District Court of the 92nd Judicial District, such cases so transferred shall take their numbers, on the docket of the District Court of Hidalgo County, 92nd Judicial District, in the order in which they at the time of transference appear on the docket of the District Court of Hidalgo County, 79th Judicial District, as though filed in the District Court of Hidalgo County, 92nd Judicial District, as new cases.

(i) All Civil cases, the jurisdiction of which are transferred by this Act to the Court herein created, on the docket of the County Court of Hidalgo County at the time this Act becomes effective are hereby transferred to the District Court of Hidalgo County, 92nd Judicial District, and the Judge of the County Court shall promptly make the proper orders transferring same; and all processes and writs issued out of the County Court of Hidalgo County in matters over which jurisdiction is hereby transferred to the Court created hereby shall be considered returnable to the District Court of Hidalgo County, 92nd Judicial District, and said writs and processes are hereby legalized in all respects. Such cases so transferred shall take their numbers on the docket of the District Court of Hidalgo County, 92nd Judicial District, in the order in which they then appear on the docket of the County Court of Hidalgo County, as though filed in the District Court of Hidalgo County, 92nd Judicial District, as new cases; provided, that their numbers shall follow and be successive of those numbers assigned to cases transferred from the District Court of Hidalgo County, 79th Judicial District, to the District Court of Hidalgo County, 92nd Judicial District.

(j) The respective judges of the 93rd and 92nd Judicial Districts shall from time to time, as occasion may require, transfer cases or other proceedings from one Court to the other in order that business may be equally distributed between them, that the Judges of both of said

Courts may at all times be provided with cases, or other proceedings to be tried or otherwise considered, and that the trial of no case or other proceedings need be delayed because of the disqualification of the Judge in whose Court it is pending; and the judges of such courts may, in their discretion, exchange benches or district from time to time, and either of them may in his own Court room try and determine any case or proceeding pending in the other Court without having the case transferred, or may sit in the other Court and there hear and determine any case pending, and every judgment and order shall be entered in the minutes of the Court in which the case is pending and at the time the judgment or order is rendered. The Judge of either of said Courts may issue restraining orders and injunctions returnable to the other Judge or Court.

(k) The District Judge and the District Attorney of the 79th Judicial District as of the effective date of this act shall continue to hold their offices until their successors shall have been elected and qualified, but the Governor, upon this Act taking effect shall appoint a suitable person possessing qualifications prescribed by the Constitution and Laws of this State as Judge of the District Court of the 92nd Judicial District of Texas, as herein constituted, and such person shall hold said office until the next general election, and until his successor shall have been elected and qualified, and thereafter the Judge of the District Court of the 92nd Judicial District of Texas shall be elected as prescribed by the Constitution and Laws of this State for the election of District Judges. There shall be elected for four years by the qualified voters of Hidalgo County, beginning with the next general election after the taking effect of this Act, a Judge for the 92nd Judicial District of Texas, whose powers and duties shall be the same as other District Judges, together with all the additional powers and duties prescribed by this Act, and who shall receive such salary as is now or may hereafter be prescribed by Law for District Judges.

Sec. 3. The importance of this legislation and the crowded condition of the calendar requires the suspension of the Constitutional



Rule requiring bills to be read on three several days in each House and said Rule is hereby suspended and this Act shall take effect as of the date herein provided, and it is so enacted.

Respectfully submitted,

LEONARD,  
WEST,  
POPE,  
DAVIS,  
KELLER,

On the part of the House.

PARR,  
RUSSEK,  
WOODUL,  
GAINER,  
HOPKINS,

On the part of the Senate.

Read and adopted by the following vote:

Yeas—28.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent.

Martin. Stevenson.

Absent—Excused.

Pollard.

H. C. R. No. 62.

H. C. R. No. 62, Authorizing the correction of H. B. No. 81.

Read and adopted.

Senate Bill No. 476.

Senator Neal called up from the table the following bill:

By Senator Neal:

S. B. No. 476, A bill to be entitled "An Act providing that the returns of general elections and primary elections shall be promptly transmitted as required by law; and providing penalties for violation of this Act and remedies for its enforcement; and declaring an emergency."

The bill was passed to engrossment.

On motion of Senator Neal the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 476 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

Absent.

Stevenson.

Absent—Excused.

Pollard.

Read third time and finally passed.

Reason for Vote.

On S. B. No. 476 I wish to be recorded as voting nay. I could not secure a roll call although I demanded one. I am in favor of the general purpose of the bill, but I think the provisions of the bill are too severe.

DeBERRY.

House Bill No. 1006.

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 1006, A bill to be entitled "An Act amending Chapter 91, Acts First Called Session, Fortieth Legislature, as amended by Chapter 77, Acts First Called Session, Forty-first Legislature, and declaring an emergency."

The committee report was adopted.

Read second time and passed to third reading by the following vote:

Yeas—29.

Beck.	Cousins.
Berkeley.	Cunningham.

DeBerry.	Parrish.
Gainer.	Patton.
Greer.	Poage.
Hardin.	Purl.
Holbrook.	Rawlings.
Hopkins.	Russek.
Hornsby.	Small.
Loy.	Thomason.
Martin.	Williamson.
Moore.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Parr.	

Absent.

Stevenson.

Absent—Excused.

Pollard.

On motion of Senator DeBerry the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 1006 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

Absent.

Stevenson.

Absent—Excused.

Pollard.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Hardin.
Berkeley.	Holbrook.
Cousins.	Hopkins.
Cunningham.	Hornsby.
DeBerry.	Loy.
Gainer.	Martin.
Greer.	Moore.

Neal.	Russek.
Oneal.	Small.
Parr.	Thomason.
Parrish.	Williamson.
Patton.	Woodruff.
Poage.	Woodul.
Purl.	Woodward.
Rawlings.	

Absent.

Stevenson.

Absent—Excused.

Pollard.

Motion to Reconsider.

Senator Purl spread on the Journal a motion to reconsider the vote by which S. B. No. 476 was finally passed.

Senate Bill No. 401.

On motion of Senator Woodruff, further consideration of S. B. No. 401 was indefinitely postponed

Senate Bill No. 177.

The Chair laid before the Senate on its second reading the following bill:

By Senator Parrish:

S. B. No. 177, A bill to be entitled "An Act amending Article 7344 of the Revised Civil Statutes of Texas for 1925; and declaring an emergency."

Read second time.

Senator Parrish sent up the following amendment:

Amend Senate Bill No. 177 by striking out all below the enacting clause, and substitute in lieu thereof the following:

Section 1. That Article 7344 of the Revised Civil Statutes of Texas for 1925 be and the same is hereby amended so as to read hereafter as follows:

Maps or Block Maps.

In Counties in which the sub-divisions of surveys are not regularly numbered, and in which the blocks or sub-divisions are not numbered, or are so irregularly numbered as to make it difficult, or impossible, for the Assessor to list the same, the Commissioners' Court of such Counties may have all the blocks, surveys, and subdivisions of surveys platted

and numbered so as to identify each lot or tract, and furnish the Assessor with maps showing such numbering; and an assessment of any property by such numbering on said maps shall be sufficient description thereof for all purposes. Such maps, or a certified copy of same, or any part thereof, shall be admissible as evidence in all Courts.

Such preparation and compilation shall be in accordance with the latest and most authentic government surveys, and which said maps or plats shall show the dimensions and location of all grants, private claims, name and abstract number of each survey, conflicts and Governmental sub-divisions of all lands embraced therein, together with the boundaries of all separate road and school districts existing as date of compilation.

In no case shall the cost of maps and plats in any County in the State of Texas exceed Three (\$3.00) Dollars per block, tract, survey, or subdivision of survey. Provided, however, that in Counties with a population in excess of 150,000, according to the last Federal Census, may contract to have said work done, the total cost of which shall not exceed Two Hundred Thousand (\$200,000.00) Dollars.

#### Land Valuation.

It is further provided that the Commissioners' Court may employ individuals or firms to make a valuation survey of all lands for the equalization of values for taxation purposes.

In no case shall the cost of land valuation work in any County within the State of Texas exceed Fifty (50c) Cents per lot, tract, survey or sub-division of survey.

The value of the various lots, tracts or parcels or land shall be mathematically ascertained by the adoption of a unit foot rule and application thereof, and all property shall be entered on the tax rolls herein provided, at the values or a per cent of the values thus ascertained.

A uniform method or calculation of accruing values for corner and alley influence shall be adopted and applied in the ascertainment of lot value.

A uniform method of classifying farm lands as to the amount of acreage that is Cultivated, Tillable, Pas-

turage and Waste Lands shall be applied in the ascertainment of acreage value.

#### Building Valuation.

It is further provided that the Commissioners' Court may employ individuals or firms to make a valuation survey of all buildings for the equalization of values for taxation purposes. A complete inventory and description of all buildings shall be compiled on card records showing dimensions of building, sketch of ground floor and all necessary information as to construction of each building, and estimated reproduction cost, less depreciation, showing present true value.

In no case shall the cost of building valuation work in any County within the State of Texas exceed One (\$1.00) Dollar per building.

#### Abstract and Ownership Record.

It is further provided that the Commissioners' Court may employ individuals or firms to make an abstract of lots or parcels of land within the County, or such part of the County as the Commissioners' Court may deem necessary, and compile ownership sheets for Assessor's records.

In no case shall the cost of abstract and ownership record exceed Fifty (0.50c) Cents per lot, tract, survey or sub-division of survey.

#### Valuation Utilities, Etc.

It is further provided that the Commissioners' Court may employ individuals or firms to make a valuation survey of Public Utilities, oil and gas properties, machinery and equipment of Manufacturing Plants and Industries within the County, appraisers to be employed on a per diem basis.

In no case shall the amount to be paid appraisers exceed Five (5c) Cents on the One Hundred (\$100.00) Dollars valuation of said property appraised, and in no event shall the total cost for the appraising of said properties in any County exceed Ten Thousand (\$10,000.00) Dollars for any one year.

#### Bond.

The County in which any of the foregoing work is done shall require

a bond on any contract for all of the work or any part thereof to insure a satisfactory completion of the contract. Said bond shall be for Fifty (50%) Per Cent of the contract price. Said bond and contract must be approved by the Comptroller of the State of Texas as to substance, and by the Attorney General of the State of Texas as to form, and a copy of each filed in the Office of the Comptroller of the State of Texas before said contract becomes valid.

Any contract for the foregoing valuation work, or any part thereof, shall be submitted to the Attorney General of the State of Texas and to the Comptroller of the State of Texas for their approval.

#### Cost of Work Paid as Follows:

Whenever the County Commissioners of any County of the State of Texas shall elect to have compiled the maps and plats, or the system of valuation of the real estate within their boundaries, or a Utility, Gas and Oil and Industrial survey as herein provided, then the County Commissioners of said County shall appropriate the funds necessary to pay for the contract in full.

The State of Texas, where valuation work is included to bring about an equalization of values, will refund to Counties in which foregoing valuation work is done Forty (40%) Per Cent of all cost, same to be paid by the State of Texas out of revenue received from increase in taxable value derived in the County in which said work is done.

And it is hereby made the duty of the Legislature to appropriate from time to time, for not exceeding a period of two years, out of revenue received from increase in taxable value derived in the County in which said work is done, the amounts required to reimburse the respective Counties for the State's portion of the cost of said work paid by them in this Act imposed upon the State. In no event shall the State be bound or obligated to make any payments for said platting, numbering, valuation, etc., unless, by reason of said work contracted to be done, there is sufficient increase in the State ad valorem taxes collected from said County during the first and second year after said valuation work is finished, and by reason of the in-

creased valuation of said County over and above the amount of State ad valorem taxes collected by the State from said County during the year immediately previous to entering into this contract. It is intended that the State is not to be obligated to pay any part for said work unless enough additional revenue in the State ad valorem tax fund is received by the State from the County by reason of the work in said County of mapping, platting and re-valuation, as provided herein. However, this would not affect a contract entered into by a County for said work other than placing a limit, as provided herein, on the amount said County can pay for said work. Provided, that any County, incorporated city or town, school district or political sub-division of any County may enter into a contract for any of the work as set out in this Bill, or may jointly have said work done, and pay for same itself, but in no case can it pay more than the maximum provided in this Bill; provided further, that any County or political subdivision may have any of said work done, as set forth in this Bill, on a per diem basis.

It is further provided that any contract entered into by any County for all or any part of the work permitted in this Bill, whether same is paid for wholly by said County or partially by the State, is not valid until all requirements of the provisions of this Law are fully complied with.

#### Joint Contract.

Where any County within the State of Texas enters into a joint contract with any City or Independent School District for compiling all of foregoing work, or any part thereof, then the State of Texas is to bear only Forty (40%) Per Cent of the cost to the County for the performance of such work out of revenue received from increase in taxable value derived in County in which said work is done.

That all laws and parts of laws in conflict with this Amendment be, and the same are, hereby repealed.

The fact that Article 7344 is very ambiguous and does not constitute a fair and practical procedure in reference to mapping, platting and re-valuation of land for tax purposes, creates an emergency and an impera-

tive public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

And amend the caption to conform.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Parrish, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 177 was put on its third reading and final passage by the following vote:

**Yeas—25.**

Beck.	Oneal.
Cousins.	Parr.
Cunningham.	Parrish.
Gainer.	Patton.
Greer.	o ge.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

**Nays—4.**

Berkeley.	Purl.
DeBerry.	Woodward.

Absent—Excused.

Pollard. Stevenson.

Read third time and finally passed by the following vote:

**Yeas—19.**

Beck.	Oneal.
Cunningham.	Parr.
Gainer.	Parrish.
Greer.	Patton.
Hardin.	ge.
Holbrook.	Thomason.
Hopkins.	Williamson.
Hornsby.	Woodruff.
Martin.	Woodul.
Neal.	

**Nays—9.**

Berkeley.	Purl.
Cousins.	Rawlings.
DeBerry.	Russek.
Loy.	Woodward.
Moore.	

Absent.

Small.

Stevenson.

Absent—Excused.

Pollard.

**House Bill No. 907.**

On motion of Senator Neal, the House was requested to return H. B. No. 907 for correction.

On motion of Senator Neal, the vote by which the bill was finally passed was reconsidered.

Senator Neal sent up the following amendment:

Amend H. B. No. 907 by adding after the word "misdemeanor" in the caption the following: "And prescribing a penalty therefor."

NEAL.

Read and adopted unanimously.

The bill was finally passed by the following vote:

**Yeas—29.**

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

Absent.

Stevenson.

Absent—Excused.

Pollard.

**House Bill No. 603.**

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 603, A bill to be entitled "An Act fixing the salary of the county commissioners in each county in which the population is as many as seventy-six thousand (76,000) inhabitants and is less than seventy-eight thousand and one (78,001) inhabitants according to the United States Census last preceding and

which county has voted as much as Six Million Dollars in road bonds and One Million Dollars in flood control or flood protection bonds; and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 603 was put on its third reading and final passage by the following vote:

**Yeas—29.**

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

**Absent.**

Stevenson.

**Absent—Excused.**

Pollard.

Read third time and finally passed by the following vote:

**Yeas—29.**

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

**Absent.**

Stevenson.

**Absent—Excused.**

Pollard.

**House Bill No. 819.**

The Chair laid before the Senate by unanimous consent the following bill:

H. B. No. 819, A bill to be entitled "An Act granting to the city or Port Arthur, Texas, all rights, title and interest of the State of Texas to certain land lying and being situated in and under the waters of Lake Sabine, and granting to said city of Port Arthur, Texas, the right, power and authority to fill in and upon such submerged land with sand, dredge spoil or other material and granting to said city of Port Arthur the right to take from Lake Sabine such sand, dredge spoil or other material as may be necessary or desirable for such filling, etc., and declaring an emergency."

The committee amendment was adopted.

Read second time.

Senator Cousins sent up the following amendment:

Amend House Bill No. 819 of the printed bill, page 2, line 55, by inserting after the word "Texas" the following: "And no lease of said land shall be made for longer than three (3) years at a time other than to the Government of the United States or to the State of Texas."

COUSINS.

Read and adopted.

The bill was passed to engrossment.

On motion of Senator Cousins the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 819 was put on its third reading and final passage, by the following vote:

**Yeas—29.**

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

## Absent.

Stevenson.

Absent—Excused.

Pollard.

Read third time and finally passed  
by the following vote:

## Yeas—28.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
Gainer.	Poage.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

## Nays—1.

DeBerry.

Absent.

Stevenson.

Absent—Excused.

Pollard.

## Senate Bill No. 625.

The Chair laid before the Senate  
on its second reading the following  
bill:

By Senator Williamson:

S. B. No. 625, A bill to be entitled  
"An Act to create and establish San  
Antonio River Canal and Conservancy  
District under authority of Section  
59 of Article XVI of the Con-  
stitution of Texas, to be a govern-  
mental agency, a body politic, munic-  
ipal and corporate; also stating the  
intent and defining certain words and  
expressions as used in this Act, and  
declaring an emergency."

The bill was read second time and  
passed to engrossment.

On motion of Senator Williamson  
the constitutional rule requiring bills  
to be read on three several days was  
suspended and S. B. No. 625 was put  
on its third reading and final pas-  
sage, by the following vote:

## Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

Absent.

Stevenson.

Absent—Excused.

Pollard.

Read third time and finally passed  
by the following vote:

## Yeas—24.

Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Thomason.
Hornsby.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Parr.	Woodward.

## Nays—5.

Beck.	Neal.
DeBerry.	Oneal.
Loy.	

Absent.

Stevenson.

Absent—Excused.

Pollard.

## Simple Resolution No. 148.

Senator Hornsby sent up the fol-  
lowing resolution:

Whereas, the University of Texas  
Men's and Girls' Glee Clubs have ex-  
tended a cordial invitation to the  
members of the State Senate and  
their ladies to attend a joint concert  
at Gregory Gymnasium, Wednesday

evening, May 13th, 1931, at 8:15 p. m., and

Whereas these two Clubs are in a class by themselves and will render a most excellent program,

Therefore, Be It Resolved by the Senate of Texas, that we express our appreciation to these Musical Clubs for their invitation and heartily accept the same, with thanks.

HORNSBY.

Read and adopted.

**Senate Bill No. 537.**

The Chair laid before the Senate on its second reading the following bill:

By Senators Poage and Greer:

S. B. No. 537, A bill to be entitled "An Act repealing Subdivision 87, of Article 188, of the Revised Civil Statutes of 1925, abolishing the 87th Judicial District; providing the means, manner and time thereof, and amending Subdivision 77 of said article, providing the times of holding court in the 77th Judicial District, for the Counties of Freestone and Limestone, etc., and declaring an emergency."

Read second time.

Senator Greer sent up the following amendment:

**Amendment No. 1.**

That Senate Bill No. 537 be amended by striking out all that portion of the caption after the words "An Act" on line —, and substituting in lieu thereof the following: "Amending subdivision 77, 87, of Article 199 of the Revised Civil Statutes of 1925; providing for the time of holding court in the 77th Judicial district for the Counties of Freestone and Limestone and the times for holding Court in the 87th Judicial District for said counties, abolishing the offices of District Attorney of the 77th Judicial District and of the 87th Judicial District, and providing that the county attorneys in each of said counties shall perform the duties of District Attorney in their respective counties and providing for their compensation therefor; providing for the transfer of causes from the 87th Judicial District Court to the 77th Judicial District Court and from the 77th Judicial District Court to the 87th Judicial District Court; and for grand juries in said counties; and

for the jurisdiction of said District Courts; and providing that the District Clerks of Limestone and Freestone Counties shall be the District Clerk in their respective counties for the 87th Judicial District and the 77th Judicial District; and providing for the duties of said clerks; and declaring an emergency.

**Amendment No. 2.**

That Senate Bill No. 537 be amended by striking out, after the enacting clause, all of same and substituting in lieu thereof the following:

Section 1: That subdivision 77, 87 of Article 199, of the Revised Civil Statutes of 1925, be, and the same is hereby amended so as to hereafter read as follows:

77, 87.—Limestone and Freestone.

(a) Seventy-Seventh District: (a) Limestone County: On the first Monday in December, March, June and September and shall continue eight weeks. (b) Freestone County: On the first Monday in February, May, August and November and shall continue four weeks.

(b) Eighty-seventh District: (a) Limestone County: On the first Monday in February, May, August and November and shall continue eight weeks. (b) Freestone County: On the first Mondays in January, April, July and October and shall continue four weeks.

(c) The said district courts shall have concurrent jurisdiction of all cases, civil and criminal and appellate, over which the district courts of this State have jurisdiction under the Constitution and laws of this State, co-extensive with the limits of Limestone County and Freestone County, respectively, and grand juries shall be drawn for the Eighty-seventh District Court in Limestone County, at the May and November terms and grand juries shall be drawn for said court in Freestone County for the January and July terms, and at such other terms of said court, both in Limestone and Freestone Counties, as the judge of said court may, from time to time, so order. There shall be organized grand juries at the March and September terms of the Seventy-seventh District Court in Limestone County, and at the May and November terms of said court in Freestone County,



and at such other terms of said court in each county, as may be determined and ordered by the judge thereof.

(d) The judges of the Seventy-seventh and Eighty-seventh Districts for the counties of Limestone and Freestone shall each, in his discretion, either in term time or vacation, on motion of any party, or on agreement of the parties, or in his own motion, where he thinks the administration of justice may be facilitated thereby, or for the purpose of equalizing the dockets of said court, transfer any cause, civil or criminal, from the dockets of their respective courts to the docket of the other district court of said county, and shall cause said transfer to be entered of record upon the minutes of his court, whereupon the clerk of the district court to which said cause has been transferred shall docket same and the same shall be tried and disposed of as if it had been originally filed in said court, and no transcript of the record shall be necessary to the jurisdiction of the court to which such case has been transferred and no formal proceedings shall be necessary to such transfer; provided that in any cause pending on any of the dockets of said district courts in either of said counties in which the judge of said court may be disqualified, recused or otherwise unable to try, he shall transfer said cause as above provided, to the other district court in the county where such cause is pending.

(e) The clerks of the said district courts shall make up the dockets of the district courts of said counties, respectively, and shall file the new cases in the courts to which he may be directed to file same by the party filing them; and all criminal cases shall be originally filed in the court to which the indictment or information is returned, and all appeals in probate cases shall be to the court beginning the first term after such appeal is filed. The clerks of said courts shall respectively prepare civil, divorce, criminal and tax dockets as may now be customary or provided by law for the Seventy-seventh and the Eighty-seventh District Courts in their respective counties, and shall place letters on the envelope containing the file papers in each case after the number of said case, designating by the letter "A" causes pending in the Seventy-

seventh District Court, and by the letter "B" causes pending in the Eighty-seventh District Court.

(f) The clerk of the Seventy-seventh District Court in Limestone County and the clerk of the Seventy-seventh District Court in Freestone County shall be the clerk of the Eighty-seventh District Court of said counties, respectively; and the office of District Attorney of the 77th Judicial District shall be and the same is hereby abolished, effective January 1st, 1933. The office of District Attorney of the 87th Judicial District is hereby abolished; and the duties enjoined by law upon said district attorneys shall be hereafter performed by the county attorneys of the respective counties of said Judicial District; and the said county attorneys shall receive for their services such fees and emoluments as are now or may hereafter be provided by law for like services for county attorneys throughout the state.

Sec. 2. If any part of this Act shall be declared invalid by the courts, then such invalid part shall not effect the other provisions hereof.

Sec. 3. The shortness of the term, and the great importance to the people of said Judicial Districts creates such an emergency and public necessity that the constitutional rule requiring bills to be read on three several days should be suspended, and it is so suspended, and this shall take effect from and after its passage, and it is so enacted.

GREER.

The amendment was read.

Senator Poage moved to table the amendment. The motion prevailed by the following vote:

Yeas—15.

Berkeley.	Neal.
Cousins.	Oneal.
DeBerry.	Poage.
Holbrook.	Purl.
Hornsby.	Thomason.
Loy.	Woodul.
Martin.	Woodward.
Moore.	

Nays—7.

Greer.	Patton.
Hardin.	Rawlings.
Parr.	Russek.
Parrish.	

**Present—Not Voting.**

Williamson.

**Absent.**

Beck.	Hopkins.
Cunningham.	Small.
Gainer.	Woodruff.

**Absent—Excused.**

Pollard. Stevenson.

The bill was passed to engrossment.

On motion of Senator Poage, the constitutional rule requiring bills to be read on three several days was suspended and S. B. 537 was put on its third reading and final passage, by the following vote:

**Yeas—28.**

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

**Nays—1.**

Greer.

**Absent.**

Stevenson.

**Absent—Excused.**

Pollard.

Read third time and finally passed.

**Notice of Intent.**

Senator Neal gave notice that tomorrow she would call up the motion spread on the Journal to reconsider the vote by which S. B. No. 476 was finally passed.

**Recess.**

On motion of Senator Parr, the Senate, at 5:14 o'clock p. m., recessed until 7:30 o'clock p. m.

**After Recess.**

The Senate met at 7:30 o'clock p. m., pursuant to recess, and was

called to order by Lieutenant Governor Edgar E. Witt.

**Joint Session.**

At 7:30 o'clock p. m., the Senate adjourned to the House for the joint session to hear the address of Hon. Jouett Shouse.

**After Joint Session.**

The Senate returned to the Senate Chamber at 9:35 o'clock p. m.

**Adjournment.**

On motion of Senator Berkeley, the Senate, at 9:38 p. m., adjourned until 10 o'clock tomorrow morning.

**APPENDIX.****Committee on Enrolled Bills.**

Committee Room,  
Austin, Texas, May 11, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 311 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,  
Austin, Texas, May 11, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 68 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee Room,  
Austin, Texas, May 12, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 387 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

**Committee on Engrossed Bills.**

Committee Room,  
Austin, Texas, May 12, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. J. R. No. 10 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, May 12, 1931.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on Engrossed Bills, have had S. J. R. No. 11 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, May 11, 1931.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 620 carefully examined and compared and find same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, May 12, 1931.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 602 carefully compared and examined and find same correctly engrossed.

HARDIN, Chairman.

#### Committee Reports.

Committee Room,  
Austin, Texas, May 12, 1931.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 1048, A bill to be entitled "An Act authorizing the appointment of an investigator in Tom Green County, Texas, by the District Attorney of the 51st Judicial District; fixing the compensation of such investigator and the amount of expense allowed him, and providing method for the payment thereof, repealing House Bill No. 43 of the Acts of the Regular Session of the 42nd Legislature; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

PATTON, Chairman.

Committee Room,  
Austin, Texas, May 12, 1931.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 879, A bill to be entitled

"An Act providing that any interested party not willing to abide by the final decision of the Industrial Accident Board, shall, in the manner provided by law, bring suit in the county where the injury occurred, to set aside said final decision; however, if such suit be brought in some other county not having jurisdiction, the court in which such suit is filed shall transfer same to the proper court in the county where the injury occurred, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,  
Austin, Texas, May 12, 1931.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We your Committee on Educational Affairs, to whom was referred

H. B. No. 1047, A bill to be entitled "An Act to amend Senate Bill 139 as enacted by the 42nd Legislature at its Regular Session, the purpose of which was to authorize County Boards of School Trustees in certain counties of Texas to employ Rural School Supervisions in lieu of holding Teachers' Institutes, defining their duties, fixing their compensation, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NEAL, Chairman.

Committee Room,  
Austin, Texas, May 12, 1931.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 1006, A bill to be entitled "An Act amending Chapter 91 Acts of the 1st Called Session 40th Legislature, as amended by Chapter 77, Acts 1st Called Session 41st Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NEAL, Chairman.

Committee Room,  
Austin, Texas, May 12, 1931.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on Military Affairs, to whom was referred H. B. No. 427, A bill to be entitled "An Act providing that all officers and employees of the State of Texas, any County, or political subdivision thereof, including municipalities, who are members of the National Guard, National Guard Reserve, or Organized Reserves of the Army or Navy of the United States, shall be entitled to leave of absence without loss of pay or efficiency rating during such days as they may attend training ordered or authorized under provisions of law; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendment attached hereto.

WOODUL, Chairman.

#### COMMITTEE AMENDMENT.

Amend H. B. No. 427 by striking out all of Section 1 and inserting in

lieu thereof the following:

"Section 1. All officers and employees of the State of Texas and of any county or political subdivision thereof, including municipalities, who shall be members of the National Guard of Texas and of the National Guard Reserve of Texas and of the Organized Reserves of the United States Army and the Naval Reserves of the Navy of the United States, shall be entitled to leave of absence from their respective duties, without loss of efficiency rating, on all days during which they shall be engaged in field or coast defense training, ordered or authorized under the provisions of law, and without loss of pay for the first twelve (12) days of such leave of absence; but such officers and employees shall not be entitled to pay from the State of Texas or any county or political subdivision thereof during such leave of absence for a longer period than twelve (12) days in any one calendar year.

Such leave of absence shall be in lieu of any and all other vacations with pay, and said employee shall not be entitled to any other vacation with pay during that fiscal year."

**In Memory**  
**of**  
**Mr. R. A. (Gus) Wylie**

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**SIMPLE RESOLUTION NO. 147.**

Senator Purl sent up the following resolution:

WHEREAS, In the death of R. A. (Gus) Wylie on yesterday, May 11, 1931, the State of Texas has lost one of its outstanding citizens, one of its most prominent and eminent public officials; and

WHEREAS, Mr. Wylie served for six years as Street Commissioner of the city of Dallas and was well beloved by the many thousands of people and had been found to possess in a marked degree the good and splendid character and sunny disposition that won for him the well deserved title of "Smiling Gus."

RESOLVED by the Senate of the State of Texas, That this body extend to his family its heartfelt sympathy and that an appropriate place in the Journal of the Senate be set aside in honor and in respect to the memory of R. A. (Gus) Wylie and that a copy of this resolution be transmitted by the Secretary to his wife and family.

PURL.

Read and adopted unanimously by rising vote.

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